PATENT ATTORNEY DOCKET NO. INVIT1140-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Fernandez et al.

Art Unit:

1652

Application No.:

09/285,386

Examiner:

C. Fronda

Filed:

April 2, 1999

Title:

LIBRARIES OF EXPRESSIBLE GENE SEQUENCES

Commissioner for Patents Washington, DC 20231

PETITION FOR EXTENSION OF TIME

Sir:

This is a request under the provisions of 37 C.F.R. § 1.136(a) to extend the period for filing a response to the Examiner Communication Re Nucleotide Sequence Disclosure mailed June 14, 2001.

The requested extension is for Four (4) Months, extending the period for response from July 14, 2001 to November 14, 2001.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, November 14, 2001, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Aldon Griffis

(Name of Person Mailing Paper)

(Signature)

November 14, 2001

(Date)

In re Application of: Fernandez et al.

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Enclosed is Check No. 494402 in the amount of \$1,440.00; which consists of the fee for Four (4) Months Extension of Time. The Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A copy of this Petition Sheet is enclosed.

Respectfully submitted,

Date: November 14, 2001

Richard J. Imbra

Registration No. 37,643 Telephone: (858) 677-1496 Facsimile: (858) 677-1465

USPTO Customer Number 28213 GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133